

7/11/05
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Rhoads et al.

Art Unit: 2154

Confirmation No.: 6242

Application No.: 09/547,664

Filed: April 12, 2000

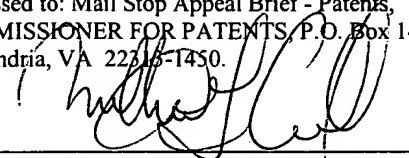
For: SYSTEM FOR LINKING FROM
OBJECTS TO REMOTE RESOURCES

Examiner: V. Vu

Date: May 16, 2005

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on May 16, 2005 as First Class Mail in an envelope addressed to: Mail Stop Appeal Brief - Patents, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.


William Y. Conwell
Attorney for Applicant

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Mail Stop APPEAL BRIEF - PATENTS
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir,

Responsive to the Notification of Non-Compliant Appeal Brief mailed May 10, 2005, appellants respectfully submit that the Brief is compliant.

The Notification states:

The Appeal Brief lacks the statements regarding issues on appeal and grouping of claims. Correction is required.

Appellants respectfully submit that the cited requirements for statements regarding "Issues on Appeal" and "Grouping of Claims" have been superseded by new PTO rules.

New PTO rules for the content of an Appeal Brief took effect on September 13, 2004, as detailed in Federal Register, Vol. 69, No. 155, pp. 49960 *et seq*, and in new part 41 of 37 CFR. A PTO-prepared set of training slides about the new requirements is at <http://www.uspto.gov/web/offices/pac/dapp/opla/presentation/bpaislides.htm>

As detailed in the training slides, an Appeal Brief is to now include a "Grounds of Rejection" heading, which replaces the former "Issues for Review" and "Grouping of Claims" headings. The slides note:

6. Grounds of rejection to be reviewed on appeal (replacing "issues for review" and "grouping of claims").

- Example: Claims 1 to 10 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. X.

In accord is the Federal Register discussion, which notes (at page 49962):

The grouping of claims requirement set forth in former Rule 192(c)(7) is removed.

The Appeal brief filed on March 4, 2005, is in compliance with the current requirements. It includes a section headed "Grounds of Rejection," which follows the model language set forth in the PTO training slides.

Reconsideration is solicited. If any further issue remains, the Examiner is invited to telephone the undersigned.

Date: May 16, 2005

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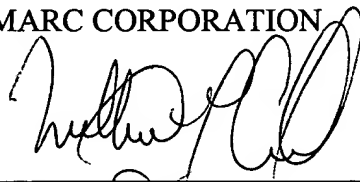
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Respectfully submitted,

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